IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

DAVID MCMAHON, STEVEN § LITTLEFIELD, AND THE TEXAS DIVISION, SONS OF CONFEDERATE VETERANS, INC., Plaintiffs, v. Civil Action No. 1:17-CV-00822-LY **GREGORY L. FENVES, IN HIS** 80 80 80 OFFICIAL CAPACITY AS PRESIDENT OF THE UNIVERSITY OF TEXAS AT AUSTIN, § Defendant.

PLAINTIFFS' UNOPPOSED MOTION TO WITHDRAW MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs David McMahon, Steven Littlefield, and the Texas Division, Sons of Confederate Veterans, Inc., respectfully file this Unopposed Motion to Withdraw Motion for Preliminary Injunction (Dkt. 9).

After Plaintiffs filed their Motion for Preliminary Injunction, the parties conferred and are in agreement that the Motion is, at this time, moot in light of their agreement to maintain the *status quo* pending resolution of Defendant's forthcoming motion to dismiss (*See* Joint Advisory, Dkt. 6); and a misinterpretation of the Clerk's instructions regarding the filing of motions related to the Amended Complaint. Accordingly, Plaintiffs request that the Court grant this Unopposed Motion to Withdraw Motion for Preliminary Injunction.

Respectfully Submitted,

By: /S/ KIRK DAVID LYONS Texas Bar No. 127 43500 Federal Admission No. 84 72 P.O. Box 1235 Black Mountain, N.C. 28711 E-mail kdl@slrc-csa.org Tel. (828) 669-5189 Fax (828) 575-5290

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent by electronic notification through ECF by the United States District Court, Western District of Texas, Austin Division, on September ___, 2017, to:

H. CARL MYERS SUSAN M. WATSON MICHAEL R. ABRAMS Assistant Attorneys General General Litigation Division P.O. Box 12548, Capitol Station Austin, Texas 78711-2548

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/S/
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